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REMARKS

Claims 1-19 remain in the application and are presented for examination and reconsideration. Claims 5, 13, 14, 18 and 19 have been withdrawn from consideration.

ELECTION / RESTRICTION

Applicant has withdrawn the traversal of the restriction (election) requirement in the reply filed on December 16, 2005.

CLAIMS REJECTION UNDER 35 U.S.C. 103 (a)

OVER U.S. 5,558,900 (Fan et al.) OR

U.S. 4,467,073 (Creasy)

The Examiner has rejected claims 1-4, 6-12, and 15-17, under 35 U.S.C. 103(a), as being unpatentable over U.S. Patent No. 5,558,900 (Fan et al.). Applicant respectfully traverses this rejection for the following reasons.

Fan et al. is directed to lubricious coatings that utilize a very specific composite of poly (ethylene oxide) and polyisocyanate, as a mixture in an inert solvent. As stated at column 3, line 64 – column 4, line 2, of Fan et al., the unexpected excellent performance of the lubricious coatings is due to the formation of a poly (ethylene oxide)/polyurea complex through in-situ hydrolysis of the polyisocyanate in the system.

Applicant notes, as the Examiner indicated, that other water-soluble polymers, such as poly (vinyl pyrrolidone), may be added to the coating if desired. However, it is essential that poly (ethylene oxide) is always in the coating solution. The coating solution would function in the absence of poly (vinyl pyrrolidone).

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Furthermore, Fan et al. disclose that the coatings containing the composite of poly (ethylene oxide) and polyisocyanate, may be prepared, using many inert organic solvents or mixtures thereof. This is described at column 4, lines 21-30, of Fan et al. The Examiner has noted that exemplary solvents said to be suitable include dichloromethane (methylene chloride), dimethylformamide, tetrahydrofuran, and ethyl acetate. Applicant points out that Fan et al., at column 4, lines 21-30, also mention that useful solvents can be chlorinated aliphatic or aromatic hydrocarbons, acetonitrile, benzene, toluene, methyl ethyl ketone, xylene, anisole, 1, 4 dioxane, which the most preferred being 1, 2-dichloroethane. This conforms with the statement of Fan et al., at column 4, line 21-23, that many inert organic solvents and mixtures thereof may be used in preparing the coatings containing the composites of poly (ethylene oxide) and polyisocyanate.

As noted by the Examiner, Fan et al. do not expressly exemplify mixtures of dichloromethane and an alkylester of a carboxylic acid, although mixtures of dichloromethane and toluene are disclosed in examples 54-60. Indeed, there is no disclosure, or even suggestion, in Fan et al., to use as the inert solvent of the coating compositions, any of the mixtures of Applicant's claimed invention. Claim 1 of Applicant's invention defines a very narrow combination of a solvent selected from tetrahydrofuran, dimethylformamide, methylene chloride, and cyclohexanone, to be in a mixture with an alkyl ester of a carboxylic acid. The mixtures of solvents specified by Applicant's claimed invention is very limited in scope.

By contrast, the concept of the inert organic solvents and mixtures thereof intended to be included in the Fan et al. patent is said to be many solvents. This implies that a large group of solvents or mixture thereof, may be used. Indeed, one could infer that any organic solvent, or mixture, is suitable for use in the Fan et al. patent.

Applicant contends that a disclosure of the type in Fan et al. is general to an extent that thousands of inert organic solvents or mixtures, are included. A disclosure of this type is not a disclosure of the specific mixtures of solvents in Applicant's claimed invention. There is no teaching or disclosure by Fan et al. to utilize a mixture of solvents as defined in Applicant's claims.

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Nor is there any hint or suggestion by Fan et al. to utilize solvent mixtures of the Applicant's claims.

In light of the foregoing, Applicant contends that claims 1-4, 6-12, and 15-17, are patentable. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of claims 1-4, 6-12, and 15-17, under 35 U.S.C. 103(a) over U.S. Patent No. 5,558,900 (Fan et al.).

The Examiner has rejected claims 1-4, 6-12, and 15-17, under 35 U.S.C. 103(a), as being unpatentable over U.S. Patent No. 4,467,073 (Creasy). Applicant respectfully traverses this rejection for the following reasons.

Creasy is directed to coating compositions that are to be used primarily to provide anti-fog properties, and may also provide adhesion and scratch resistance. There is no mention or suggestion that the coatings of Creasy would be suitable for imparting lubricity.

In more detail, the anti-fog coatings of Creasy comprise a polyvinylpyrrolidone; a polyisocyanate prepolymer; a surfactant that will chemically bond to a reaction product of the polymer and prepolymer; and an organic solvent that will form a solution of the foregoing ingredients. Creasy discloses that the coatings are anti-fog coatings, that have been typically used on eyeglasses and in solar hot water units (see column 3, lines 29-35). Applicant has not found any disclosure in Creasy regarding use of the compositions for medical devices, as stated by the Examiner. Nor has Creasy disclosed or suggested that the coatings impart lubricity to a substrate.

Creasy states at column 1, lines 25-30, that the compositions are the result of complexing or reacting a surfactant with a hydrophilic polymer, such as polyvinylpyrrolidone that has been crosslinked with an isocyanate prepolymer. When used as an anti-fog coating, the composition includes an organic solvent to form a solution of the ingredients.

At column 2, lines 55-66, Creasy describes the organic solvents that are suitable for use in preparing the anti-fog coatings. The organic solvents to be used are those that are substantially non-

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reactive with the solid ingredients of the coating. As the Examiner has noted, suitable solvents are alkylesters such as ethyl lactate and ethyl acetate, methylene chloride, and mixtures of miscible solvents. Moreover, Creasy discloses at column 2, lines 62-64, other solvents that may be used, such as diacetone alcohol, tertiary butyl alcohol, trichloroethane, and N-methylpyrrolidone. It is apparent that Creasy intends that many organic solvents may be utilized in the coatings.

The Examiner has noted that Creasy exemplifies the use of solvent mixtures such as ethyl lactate and methyl ethyl ketone. However, the Examiner has further noted that Creasy does not expressly exemplify mixtures of ethyl lactate with Applicant's specific solvents.

It is, therefore, apparent that Creasy does not disclose the use of solvent mixtures required by Applicant's claimed coating compositions. Nor does Creasy suggest the use of solvent mixtures required by Applicant's claimed invention.

The group of suitable solvents said to be useful by Creasy is obviously large and there is neither disclosure nor suggestion to use mixtures of solvents required by Applicant's claimed invention. In addition, there is nothing in Creasy related to coatings to impart lubricity. Thus, there is nothing in Creasy that would motivate one to use the solvent mixtures found suitable by Applicant.

In view of the above, Applicant contends that claims 1-4, 6-12, and 15-17, are patentable. Accordingly, Applicant respectfully requests the Examiner to withdraw the rejection of claims 1-4, 6-12, and 15-17, under 35 U.S.C. 103(a), over U.S. Patent No. 4,467,0373 (Creasy).

CONCLUSION

Applicant believes the application is in condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the rejections of the claims, under 35 U.S.C. 103(a). Applicants

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submit that claims 1-4, 6-12, and 15-17 are patentable, and respectfully request the Examiner to pass the application to issue.

Respectfully submitted,



William F. Dee
Tyco Healthcare Group LP
15 Hampshire Street
Mansfield, MA 02048
Registration No. 46657
Phone: 508-261-6525
Fax: 508-261-6225

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